

## ***REMARKS***

Applicants respectfully request reconsideration of the present application in view of this response. Applicants have added new claims 2-20 by way of this amendment. Claims 1, 6, 12, and 19 are independent claims.

## ***PRIORITY DOCUMENTS***

Applicants acknowledge and thank the Examiner for the acknowledgement of priority under 35 U.S.C. § 119, and further thank the Examiner for the acknowledgement of the receipt of all the necessary priority documents in this National Stage application from the International Bureau, as shown in the Office Action Summary dated September 16, 2004.

## ***INFORMATION DISCLOSURE STATEMENT***

Applicants acknowledge and thank the Examiner for the consideration of the references cited in the Information Disclosure Statements, which were both filed on August 7, 2003, as indicated by the Examiner's initials and signature on the form PTO-1449.

## ***DRAWINGS***

The Examiner has objected to the drawings and has indicated that FIG. 22 requires a "PRIOR ART" label.

Applicants have amended the drawings as shown in the replacement sheet attached hereto.

Accordingly, Applicants respectfully request that this rejection be withdrawn.

### ***SPECIFICATION***

The Examiner has objected to the Abstract because of the alleged legal phraseology (i.e., "comprise") recited in line 2.

Applicants have amended the Abstract as shown on the sheet attached hereto. Accordingly, Applicants respectfully request that this rejection be withdrawn.

### ***PREFERRED EMBODIMENTS OF THE PRESENT INVENTION***

A preferred embodiment of the present invention is illustrated in FIG. 1. A preferred embodiment of a digital measuring head 10, which may be included in a measuring apparatus, may measure a work through a contact element 14 abut to the work W. The preferred embodiment of the digital measuring head may include an arm 13, which may be supported (e.g., rotatably) around a support point 11. The support point 11 may be arranged on a base 21. A finger 13, which may include the contact element 14, may be mounted to an end of the arm. A scale 15 and a read head (not shown in FIG. 1, but illustrated in FIG. 5, element 16) may be included in the digital measuring head 10, and may measure the displacement of the contact element 14, which

may contact the work W. Further, one of the scale 15 and the readhead 16 may be positioned at another end portion of the arm and the other may be arranged on the base 21.

### **PRIOR ART REJECTIONS**

#### ***Rejections under 35 U.S.C. § 102 (b)***

Claim 1 stands rejected under 35 U.S.C. § 102 (b) as being allegedly anticipated by Schmidt (U.S. Patent No. 4,736,208). Applicants respectfully traverse this rejection.

#### ***Schmidt***

With regard to FIG. 7, Schmidt discloses a device including a sensor 3, an arm 1, a measuring scanner 12, a rod 13, and a transducer 6. The sensor 3 is positioned at an end of the arm 1 and rests on the surface 4. A pivot mechanism 2, which is included in the measuring scanner 12, supports the other end of the arm 1. The measuring scanner 12 is fixed to the rod 13 and the transducer 6 moves the rod 13. The transducer 6 measures the distance in the x-direction by measuring the displacement of the rod 13. As the rod 13 moves linearly, the measurement scanner 12 scans the surface 4, and subsequently, provides electrical measurement signals to an amplifier 15 through a lead 14. The output of the amplifier 15 is then fed to a recording device 17, which records the measurements.

### ***Claim Distinctions***

However, Applicants assert that Schmidt does not teach or suggest a digital measuring head in which one of a scale and a read head is positioned on “a rear end portion of the arm”, and the other is “arranged on the base”. The Examiner indicated an alleged correlation between the transducer 6 and the “scale” (claim 1) and the measuring scanner 12 and the “readhead” (claim 1). The Examiner further indicates an alleged correlation between the base of the measuring scanner 12 and the “base” (claim 1). Applicants respectfully disagree.

Applicants respectfully assert that Schmidt merely discloses a measuring device 12, which is mounted only on the end of the rod 13, and not mounted on any base. The Examiner’s allegation that the measuring scanner 12 is mounted on the base of the measuring scanner 12 is clearly incorrect. Applicants respectfully assert that the measuring scanner 12 cannot be mounted on itself, as the Examiner has indicated in the outstanding Office Action. Accordingly, Applicants respectfully assert that Schmidt fails to teach or suggest all of the limitations of claim 1.

As such, Applicants respectfully request that this rejection be withdrawn.

### ***NEW CLAIMS***

Applicants have added new claim 2-20 by the present amendment, which are also believed to be patentable over the prior art. Further, Applicants

submit that the prior art cited by the Examiner does not teach or suggest all of the limitations as recited in any of new claims 2-20. Although somewhat similar arguments to those emphasized above with regard to claim 1 may apply, claims 2-20 should be governed solely by the limitations present therein and should not be limited in any way by limitations or arguments set forth in other independent claims. Accordingly, allowance of new claims 2-20 is respectfully requested.

## **CONCLUSION**

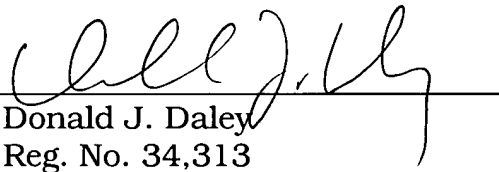
In view of above remarks, reconsideration of the outstanding rejection and allowance of the pending claims is respectfully requested.

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Andrew M. Waxman, Reg. No. 56,007, at the number of the undersigned listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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## **AMENDMENTS TO THE DRAWINGS**

The attached sheet of drawings includes changes to Figure 22. This sheet, which includes Figure 2, replaces the original sheet including Figure 22.

Attachment: Replacement Sheet